

REMARKS

Claims 1-6 and 15 are presented for consideration. Claims 1 and 15 are independent.

Claims 1-6 and 15 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Robar et al. '313 in view of Yoshida '005 and Dow et al. '904.

This rejection is respectfully traversed.

Claim 1 relates to a method of reading a plurality of film originals, each being mounted with a slide mount, which are placed on an original support of an image reading apparatus and displaying them on a monitor unit of a computer connected to the image reading apparatus. The method includes, among other features, a read image signal display step of simultaneously displaying the plurality of read image signals on one display screen of the monitor unit in the landscape placement and in a form of a thumbnail type display.

The Office Action alleges, on page 3, that Robar et al. discloses “a read image signal display for simultaneously displaying the plurality of read image signals on one display screen of the monitor unit.” (Office Action, p. 3). The Office Action cites to Figure 6 and column 6, lines 10-12, in support of this assertion. The Office Action further states, on page 4, that the “computer 22 as depicted has a monitor and images are displayed according to Fig. 6. Obviously, if not inherently, the monitor displays the image in accordance to Fig 6.” (Office Action, p. 4).

Applicant respectfully disagrees.

Robar et al. relates to a method and automated system for creating volumetric data sets. A plurality of films 12 are exposed to a radiation field 17, at a known position relative to the radiosurgery coordinate system so that a measured dose distribution can be “coregistered” with an intended dose distribution. (column 5, lines 45-49). The films 12 are subsequently processed

to provide a series of two-dimensional images. (column 5, lines 51-53). The films 12 are subsequently digitized by arranging the films on the bed of a scanner 20. (column 6, lines 8-10). Figure 6 is a “single scanned image which includes images of four films 12 from one set of films.” (column 6, lines 10-12). However, contrary to the Office Action’s assertion, Robar et al. does not explicitly disclose that Figure 6 is displayed on the monitor, but rather that the digitized images are provided to the computer 22 so that software in the computer can analyze the digitized images. (column 6, lines 12-18).

The software separates, orients, and sequences the scanned images. (Id.). If the scanned images contain more than one film 12, then the software can extract the individual images. (column 6, lines 20-35). Then each pixel, or selected pixels, of the digitized image is converted into an integrated radiation dose. (column 7, line 10-12). The dose data is then entered into a three-dimensional data structure to produce a dose distribution array - which is then displayed on a suitable monitor. (column 7, lines 53-55). Therefore, Robar et al. does not teach or suggest, among other features, a read image signal display step of simultaneously displaying the plurality of read image signals on one display screen of the monitor unit in the landscape placement and in a form of a thumbnail type display, as recited in Claim 1.

Additionally, Applicant notes that MPEP § 2163.07(a) states that “To establish inherency, the extrinsic evidence ‘must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.’” (citing *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999)). In the case at hand,

Robar et al. does not disclose that the digitized image is necessarily displayed to the user; therefore, the feature is not inherent. In addition, Applicant respectfully disagrees with the assertion in the Office Action that Figure 6 is “obviously” displayed, as the reference makes no explicit disclosure that Figure 6 is displayed on the monitor.

Yoshida relates to an image processing apparatus that controls a blank to be a predetermined length in accordance with the size of the recording medium. Yoshida was cited for allegedly disclosing an arrangement in which an image reader can generate the signal in landscape and thereafter transmit it to an external apparatus such as a computer. (Office Action, p. 5). Without conceding the propriety of this assertion, Applicant submits that Yoshida does not teach or suggest, among other features a read image signal display step of simultaneously displaying the plurality of read image signals on one display screen of the monitor unit, as recited in Claim 1. Accordingly, Applicant submits that Yoshida fails to remedy the deficiencies of Robar et al., discussed above.

Dow et al. relates to an appliance and method for navigating among multiple captured images and functional menus. Dow et al. was cited for allegedly disclosing that a read image is displayed on a display apparatus in a thumbnail display form. (Office Action, p. 5). Without conceding the propriety of this assertion, Applicant submits that Dow et al. does not teach or suggest, among other features, a read image signal display step of simultaneously displaying the plurality of read image signals on one display screen of the monitor unit, as recited in Claim 1. Accordingly, Applicant submits that Dow et al. fails to remedy the deficiencies of Robar et al. and Yoshida, discussed above.

In addition, none of the references, either taken singularly or in combination, disclose or suggest, simultaneously displaying the plurality of read image signals on one display screen of the monitor unit in the landscape placement and in a form of a thumbnail type display, as recited in Claim 1.

Therefore, even assuming, *arguendo*, that the combination of Robar et al., Yoshida, and Dow et al. is proper, at least for the reasons discussed above, the proposed combination does not teach or suggest features of Applicant's invention as recited in Claim 1.

Claim 15 relates to a system for reading a plurality of film originals, and generally corresponds to Claim 1. Therefore, at least for the reasons discussed above in regard to Claim 1, Applicant submits that the proposed combination of Robar et al., Yoshida, and Dow et al. does not teach or suggest features of Applicant's invention as recited in Claim 15.

Still further, in addition to the arguments set forth above, Applicant submits that the combination of Robar et al., Yoshida, and Dow et al. is improper.

Robar et al. is directed to a method of creating a volumetric data set containing data representing a three-dimensional distribution of a physical quantity, such as the integrated dose produced within a volume by one or more radiation sources. (column 3, lines 1-6). As discussed above, in Robar et al., the digitized images are used to produce the three-dimensional dose distribution, which in turn is displayed on a monitor. However, Robar et al. does not explicitly disclose that the digitized images are displayed on a monitor. In fact, Robar et al. explicitly states that the processing of the digitized images should be done by computer so as to "be insensitive to human error which might result in one or more images being placed out of sequence or in the wrong orientation." (column 3, lines 35-38). Accordingly, there is no need to

display the digitized images to the user, because the computer automatically processes the images without user input. Therefore, Applicant submits that one of ordinary skill in the art would not be motivated to combine the teachings of Robar et al. with Yoshida and Dow et al., which are directed to, in general, methods and devices for displaying images. Accordingly, Applicant submits that there no motivation to combine the applied references; therefore, the combination is improper.

In light of the above remarks, reconsideration and withdrawal of the rejection of Claims 1-6 and 15 under 35 U.S.C. § 103(a) is respectfully requested.

Applicant submits that present invention as set forth in the independent claims is patentable over the applied references. In addition, dependent Claims 2-6 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested. Applicant submits that the present application is in condition for allowance, and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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